

LAKE COUNTY

RULES OF
JUVENILE COURT



WILLIAM W. WEAVER,
JUDGE

I. THE OPERATION OF THE COURT

A. APPLICABILITY

These rules shall pertain to the Juvenile Division of the Lake County Court of Common Pleas, including civil, criminal, delinquent and unruly cases.

B. TERM OF COURT; HOURS; SECURITY

1. **TERM:** The Court shall be in continuous session for the transaction of judicial business.
2. **HOURS:** The office of the Clerk of Court shall be open daily Monday through Friday from 7:45 A.M. to 4:30 P.M.
 - a. **EXCEPTIONS:** The Court shall be in session at such other times and hours as the Judge thereof shall prescribe to meet special situations or conditions.
3. **SECURITY:** The Juvenile Division adopts the Rules on Courthouse Security as promulgated by the Lake County Common Pleas Judges together with the specific security rules for the Juvenile Division filed with the Ohio Supreme Court on July 29, 1995. In addition, the following rules shall be applicable to all individuals conducting business before the Juvenile Division.
 - a. No firearms or weapons are permitted within the Juvenile Justice Center except in accordance with the above described rules.
 - b. All persons entering the Juvenile Justice Center, including elected officials, Court personnel, attorneys, law enforcement and security officers, shall be subject to security screening. Screening shall occur for each visit and each re-entry to the Center regardless of the purpose or the hour. Any person refusing to be screened shall be denied access to the Center.
 - c. The Court reserves the right to expel any person from the Juvenile Justice Center whose conduct disrupts the proceedings before the Court or poses a threat to the security of the Court.

C. ASSIGNMENT OF CASES FOR HEARINGS

1. **TRIAL DATES:** Cases assigned for trial for a specific date may be tried before or after that date.
2. **NOTICE:** The Court will routinely advise the parties of the trial and other hearing dates, but it shall be the responsibility of the parties and their attorneys to keep themselves apprised of all Court dates.
3. **CONTINUANCES:**
 - a. Must be in compliance with Rule 23 of the Ohio Rules of Juvenile Procedure.
 - b. No case assigned for trial may be continued except on written motion, subject to approval of Court.
 - c. Continuances requested based upon a conflict with a case previously scheduled in another Court must include a copy of the prior notice with the date the notice was sent clearly shown.

- d. Counsel requesting a continuance must contact all opposing counsel for approval and note the agreement or denial of same on the motion. Approval of all counsel does not necessarily mean that the Court will grant the request.

II. CLERK OF COURT

A. CLERK'S CUSTODY OF FILES

1. The Clerk of this Court shall not permit original files to be taken from the office by anyone other than Court personnel, unless the same are to be delivered to the Judge or a Magistrate of said Court, or unless removal is authorized, in writing, by the Judge or a Magistrate.
2.
 - a. **LEGAL FILES:** The Court has general custody of, and authority over its own records and files. No pleadings, documents, depositions, or exhibits shall be removed from the file except by order of the Court. Parties to a cause of action and their attorneys shall have the right to inspect the legal file at all reasonable times. No person except parties or their attorneys shall be permitted to examine the complaint filed in any case, until after service of summons is perfected.
 - b. **SOCIAL FILES:** No person, including parties or counsel for either, shall have access to or the right to inspect any social file without written authorization from the Judge or a Magistrate of the Court.
3. When a notice of appeal has been filed in a case, the entire file becomes subject to the exclusive direction and control of the Court of Appeals, and any existing authority to allow removal of any portion of the file is immediately revoked.

B. SECURITY FOR COSTS

1. **DEPOSIT FEE SCHEDULE** The Court shall determine a Deposit Fee Schedule and shall post such schedule in the Clerk of Court's office.
2. **RETURN OF BOND IN CRIMINAL CASES** If a defendant has posted bond in a criminal case, the Clerk of Court (prior to releasing such bond) shall determine whether the defendant has paid the Court costs. If the defendant has not paid the Court costs, then unless the defendant is indigent, the Clerk shall deduct the amount of Court costs due from the bond and shall then release the balance to the defendant.

C. SERVICE BY PUBLICATION BY POSTING AND MAIL

In accordance with the provisions of Ohio Rules of Juvenile Procedure #16 (A), service by publication shall be made in all cases by posting and mail.

Posting shall be in a conspicuous place in the Lake County Juvenile Justice Center, as well as in the following additional two public places: the Willoughby Municipal Court located at One Public Square, Willoughby, Ohio 44094; and the Mentor Municipal Court located at 8500 Civic Center Boulevard, Mentor, Ohio 44060.

The Clerk of Court no longer will perform service by publication in a newspaper. In the event a party should desire such service, it shall be the responsibility of such party to arrange for publication with the newspaper. Upon completion of service by newspaper publication, proof of same shall be submitted to the Clerk of Court for filing.

III. CASE MANAGEMENT

A. Physical Inventory

Pursuant to Rule 5 of the Rules of Superintendence, a physical inventory shall be performed of all cases pending on or before September 1, 1991, and annually thereafter, which inventory shall:

1. List all open cases.
2. Provide the status of each case.

B. Case Processing Time Tables

1. Traffic Cases

- a. Case filing: All traffic cases must be filed with the Court within one week of the date of issuance.
- b. Plea continuances: Continuance will not extend more than 30 days beyond the date of issuance.
 1. First continuance will not exceed two weeks.
 2. Second continuance will not exceed one week.
- c. Summons
 1. In the event a summons is issued for a plea hearing, such hearing shall be held not later than ten days after the filing of citation.
 2. In the event a summons is issued for failure to appear, such case shall be held seven days from previous Court date.
- d. Pretrial hearing: Cases will be set for pretrial not later than 30 days after date of "not true" plea.
- e. Trial: Cases will be set for trial not later than three weeks after the pretrial.
- f. Motions: All motions will be heard within 30 days from the date of filing.

2. Unruly and Delinquency Cases

- a. For those cases where alleged unruly or delinquent offenders are held in the detention center, a plea hearing shall be held the following day.
- b. All other unruly and delinquency cases will be set for plea hearing not later than 30 days after the date of filing.
- c. Pretrial hearing: Case will be set for pretrial not later than 30 days after date of "not true" plea.
- d. Motions: All motions will be heard within 30 days from the date of filing.
- e. Adjudication: Case will be set for adjudicatory trial not later than three weeks after the pretrial.
- f. Dispositional hearing: The dispositional hearing will be set not later than 90 days after the plea hearing.

3. Dependent, Neglect and Abuse Cases

- a. Seventy-two hour hearing: When a child is removed from home, hearing shall be held within 72 hours (working days) of filing.
- b. Adjudication: Cases shall be set for adjudicatory hearing not later than 30 days after the date of filing.
- c. Case plan review: Case plan review hearing to be set not later than 30 days after adjudication.
- d. Termination hearing: Shall be held not later than one year after removal of child from home, or Court orders, whichever comes first.
- e. Motion to extend
 - 1. Temporary commitments: Hearing on motion shall be held within 30 days of filing, but before termination date.
 - 2. Protective supervision: Hearing on motion shall be held within 30 days of filing, but before termination date.

4. Contributing Cases

- a. Arraignment: An arraignment will be held not later than 30 days from the date of filing.
- b. Pretrial hearing: Cases will be set for pretrial not later than 30 days after date of "not guilty" plea.
- c. Trial: Case will be set for trial not later than three weeks after the pretrial.
- d. Motions: All motions will be heard within 30 days from the date of filing.
- e. Sentencing hearing. A sentence hearing will be held not later than 30 days from the acceptance of a guilty plea or a finding of guilty.

5. Parent/Child Relationship Cases, Custody and Nonsupport Cases

- a. Attorneys, as instructed by the Court, shall submit a Journal Entry not later than 30 days after the date of hearing.
- b. Clerk's office shall record the due date and assure compliance.
- c. Local rules of General Division for civil cases apply regarding pretrial and trial procedure.

C. Visiting/Retired Judges

With the consent of the Supreme Court of Ohio and after receipt of the appropriate judicial assignments, visiting/retired judges may preside over special dockets in order to insure compliance with case management docket time frames.

IV. A. CIVIL CASES

The Juvenile Division will conduct all civil cases strictly in accordance with the Ohio Rules of Civil Procedure without regard to rules of any other Court or Division having concurrent jurisdiction.

B. DOMESTIC RELATIONS CASES

The Juvenile Division recognizes and will accept forms and documents filed pursuant to the Rules of the Lake County Common Pleas Court, Domestic Relations Division, and adopts said Rules relative to the domestic relations cases certified to it, except that discovery shall be enforced pursuant to the Civil Rules.

V. PARENTING TIME/VISITATION RIGHTS

The Juvenile Division of the Lake County Court of Common Pleas hereby adopts the following parenting time/visitation schedule applicable to all cases involving custody and parenting time/visitation within this Division, whether initiated herein or certified by the Domestic Relations Division. Said schedule is similar but not identical to the parenting time/visitation schedule adopted by and set out in Rule 23 of the Domestic Relations Division.

The non-residential parent's parenting time with the child or children shall, at the Court's discretion, be as follows:

1. **WEEKENDS:** Alternating weekends from Friday night at 7:00 P.M. to Sunday night at 7:00 P.M.
2. **MIDWEEK:** In addition to weekends, the child(ren) shall spend a minimum of one (1) day visitation as follows:
 - a. For a pre-kindergarten child, 5:00 P.M. to 7:30 P.M.
 - b. For a child in grades kindergarten-8th grade, 5:00 P.M. to 8:00 P.M.
 - c. For children in grades 9-12, 5:00 P.M. to 9:00 P.M.

If there is more than one (1) child, the hour of return shall be the hour for return of the youngest child. If the parents cannot agree, the day of the midweek parenting time shall be Wednesday.

3. DAYS OF SPECIAL MEANING:

- a. Mother's Day and mother's birthday shall always be spent with mother; Father's Day and father's birthday shall always be spent with father. If the parties cannot agree on times, the time shall be 10:00 A.M. to 7:00 P.M. if the birthday falls on a non-school day, and 5:00 P.M. to 8:00 P.M. if the birthday falls on a school day.
- b. The child's birthday shall be spent with mother in even numbered years, and with father in odd numbered years. If the parties cannot agree, the time shall be 10:00 A.M. to 8:00 P.M. for a child not in school on the birthday, and 5:00 P.M. to 8:00 P.M. for a child in school on the birthday. The child's brothers and sisters shall attend the birthday event when they are not in school.

4. HOLIDAYS: If not changed by agreement, holiday times shall be as follows:

HOLIDAY	EVEN NUMBERED YEARS	ODD NUMBERED YEARS	TIME PERIOD
Easter	Father	Mother	10:00 P.M – 7:00 P.M.
Memorial Day	Mother	Father	9:00 A.M. – 9:00 P.M.
July 4 th	Father	Mother	9:00 A.M. – 10:30 P.M.

Labor Day	Mother	Father	9:00 A.M. – 9:00 P.M.
Thanksgiving	Father	Mother	9:00 A.M. – 9:00 P.M.
Christmas Eve	Mother	Father	10:00 A.M. on 12/24 to 10:00 A.M. on 12/25
Christmas Day	Father	Mother	10:00 A.M. on 12/25 to 10:00 A.M. on 12/26
New Year's Eve/Day	Mother	Father	5:00 P.M. on 12/31 to 11:00 A.M. on 1/1
New Year's Day	Mother	Father	11:00 A.M. to 7:00 P.M.

- a. The parent having possession on Christmas Day shall retain possession during the second half of the winter school break, and the other parent shall have possession during the first half of the winter school break. The parent having possession on Easter Sunday shall retain possession during the second half of the spring school break, and the other parent shall have possession during the first half of the spring school break. If the children are not of school age, the extended possessory periods shall be determined from the school calendar of the district where the residential parent resides.
 - b. If the non-residential parent has parenting time on a weekend immediately preceding his/her designated Monday holiday, the possession time shall be extended overnight on Sunday through the holiday period.
5. SUMMER VACATION: Two (2) weeks of uninterrupted summer parenting time each year are to be arranged by the non-residential parent with advance notice, in writing, by May 15th each year to the residential parent. The residential parent shall have two (2) weeks of uninterrupted summer possession each year which shall be arranged by the residential parent with advance notice, in writing, by May 30th each year to the non-residential parent. If there is a conflict between the parties as to the dates of summer parenting time, the nonresidential parent's dates shall be given priority.
6. GRANDPARENT VISITATION: When each party has possession of the child(ren), each will afford his/her parents grandparental rights of visitation and neither side will interfere with the exercise of the same.
7. PRECEDENCE: The summer vacation periods and holiday rotations shall take precedence over only the alternating weekend and midweek times.
8. TRANSPORTATION: The parent who is receiving parenting time shall be responsible for transportation.
9. COURT ORDERS: The aforementioned schedule shall appear in every Court order which also disposes of a child support order and/or the allocation of parental rights and responsibilities, unless the parties jointly agree to a different schedule. The Court reserves the right to deviate from this schedule for good cause shown.

VI. ORAL HEARINGS

A. MOTIONS

Pursuant to Rule 19 of the Juvenile Rules and Rule 7 (B)(2) of the Civil Rules, it shall be the policy of this Court that all Motions shall be considered and decided without oral hearing unless one of the parties requests such hearing, or the Court determines that a hearing would be advisable. Motions will be decided upon brief written statements of reasons in support thereof and opposition thereto.

B. OBJECTIONS TO MAGISTRATE'S DECISIONS

1. Juvenile Rule 40 (D)(2) and Civil Rule 53 (E)(2) provide that Objections to Magistrate's Decisions shall be considered as Motions. All Objections shall be set for oral argument unless all counsel agree to waive such argument. Oral argument shall be set after all briefs have been filed.
2. In an attempt to control the extensive amounts being expended on transcripts from the County General Fund, the Court will, at such time as appropriate recording equipment is obtained, determine factual objections by reviewing the audio or video tape. Copies of such tapes shall be provided to all counsel.
 - a. Counsel shall, in their written briefs, indicate the exact point on the tape at which the claimed factual discrepancy can be found.

VII. MEDIA ATTENDANCE

Pursuant to Rules 27 and 37 of the Ohio Rules of Juvenile Procedure, and to the Ohio Revised Code, all Juvenile Court proceedings and records are within the control of and subject to the discretion of the Judge. This rule, therefore, may be amended, changed or overridden on a case by case basis when, in the discretion of the Court, the best interest of the child requires more stringent or total confidentiality.

Notwithstanding the above, it shall be the general procedure of this Court that the media may attend all cases in which there is an allegation of delinquency or unruliness, subject to the following conditions:

1. No media representative shall report the name of the accused child or otherwise identify the child or the child's family.
2. No media representative shall report the name of any victim if such victim is under the age of eighteen (18) years, nor shall they otherwise identify the victim or the victim's family.
3. No information shall be published relative to the child's social history, personal or educational background, or mental or physical condition, or that of the child's family, without prior consent of the Court.
4. The media shall advise the Court, in advance, if they intend to record the proceedings in any manner, other than written notes. If the recording is to be audio or visual, then the voices and faces of anyone under age eighteen (18) will be distorted, or blacked out, so that identification is impossible.
5. Due to the potential confidential nature of the proceedings, all media representatives wishing to be admitted must arrive at the hearing room prior to commencement of the hearing, and present proper identification.
6. Any media representatives wishing to attend hearings as set out above will be required to sign in, which signature will indicate their agreement to abide by the above provisions.

This rule is specifically inapplicable to cases of abuse, neglect or dependency, which cases shall be determined separately after a hearing is held pursuant to the rulings of the Supreme Court of Ohio.

VIII. TIME LIMITS FOR REIMBURSEMENT OF COUNTY EXPENDITURES FOR ASSIGNED COUNSEL

In order for the County to be reimbursed for assigned counsel expenditures, invoices for such services must be submitted within ninety (90) days of the end of the calendar month in which the case was terminated. In order to meet those guidelines, the Juvenile Court of Lake County must have the invoices for such services within eighty (80) days of the end of the calendar month in which the case was terminated.

Any invoices submitted beyond this deadline will mean that the County cannot be reimbursed for such fees and, therefore, the fees approved will automatically be reduced by forty percent (40%), which is equal to the amount of reimbursement lost.

This Rule is not to be interpreted as in any way limiting the ability of assigned counsel to file interim billings.

IX. FACSIMILE FILING STANDARDS

A. FILINGS BY FACSIMILE TRANSMISSION

1. The provisions of this local rule are adopted under Rule 8 of the Ohio Rules of Juvenile Procedure, subject to the provisions and exceptions set out below.
2. Pleadings and other papers may be filed with the Clerk of the Juvenile Court by facsimile transmission to 440-350-2724.
3. These rules apply to all proceedings in the Lake County Juvenile Court.

B. ORIGINAL FILING

1. A document filed by fax shall be accepted as the effective original filing. The person making a fax filing need not file any source document with the Clerk of Court, but must, however, maintain in his or her records and have available for production on request by the Court the source document filed by fax, with original signatures as otherwise required under the applicable rules, together with the source copy of the facsimile cover sheet used for the subject filing
2. The source document filed by fax shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.

C. EXCEPTIONS

1. Facsimile filing of Complaints in delinquency and unruly cases shall be accepted only when an emergency exists requiring an immediate hearing and no officer is available to deliver the original Complaint. The Court will accept such facsimile filing upon the condition that an original shall be filed within twenty-four hours.
2. In the event an original signed pleading is not received in delinquency or unruly cases, within the twenty-four hour period, then the facsimile filing shall be considered null and void and will be dismissed sua sponte.

D. DEFINITIONS

As used in these rules, unless the context requires otherwise:

1. A "facsimile transmission" means the transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving end.
2. A "facsimile machine" means a machine that can send and receive a facsimile transmission.
3. "Fax" is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

E. COVER PAGE

1. The person filing a document by fax shall also provide therewith a cover page containing the following information (see sample cover page form attached):

- a. Name of the Court;
 - b. Title of the case;
 - c. Case number;
 - d. Name of the Judge;
 - e. Title of the document being filed (e.g. Defendant Jones' Answer to Amended Complaint; Plaintiff Smith's Response to Defendant's Motion to Dismiss; Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss);
 - f. Date of transmission;
 - g. Transmitting fax number;
 - h. An indication of the number of pages included in the transmission, including the cover page;
 - i. If a case number has not been assigned, state that fact on the cover page;
 - j. Name, address, telephone number, fax number, Supreme Court registration number, if applicable, and e-mail address of the person filing the fax document if available; and
 - k. If applicable, a statement explaining how costs are being submitted.
2. If a document is sent by fax to the Clerk of Court without the cover page information listed above, the Clerk may, at its discretion:
- a. Enter the document in the Case Docket and file the document; or
 - b. Deposit the document in a file of failed faxed documents with a notation of the reason for the failure; in this instance, the document *shall not* be considered filed with the Clerk of Court.
 - c. The Clerk of Court is not required to send any form of notice to the sending party of a failed fax filing. However, if practicable, the Clerk of Court may inform the sending party of a failed fax filing.

F. SIGNATURE

- 1. A party who wishes to file a signed source document by fax shall either:
 - a. Fax a copy of the signed source documents; or
 - b. Fax a copy of the document without the signature but with the notation "/s/" followed by the name of the signing person where the signature appears in the signed source document.
 - c. A party who files a signed document by fax represents that the physically signed source document is in his/her possession or control.

G. EXHIBITS

- 1. Each exhibit to a facsimile produced document that cannot be accurately transmitted via facsimile transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the Court otherwise orders, the missing exhibit shall be filed with the Court, as a separate document, not later than five (5) Court days following the

filing of the facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the Court striking the document and/or exhibit.

2. Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the Court, title of the case, the case number, name of the Judge and the title of the exhibit being filed (e.g. Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this Court. (See sample exhibit cover sheet attached.)

H. TIME OF FILING

1. Subject to the provisions of these rules, all documents sent by fax and accepted by the Clerk shall be considered filed with the Clerk of Court as of the date and time the fax transmission was received by the Clerk of Court. The office of the Clerk of Court will be deemed open to receive facsimile transmission of documents on the basis of 24 hours per day, seven days per week, including holidays. Each page of any document received by the Clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the document will determine the time of filing, provided the document is deemed accepted by the Clerk.
2. Fax filings may NOT be sent directly to the Court for filing but may only be transmitted directly through the facsimile equipment operated by the Clerk of Court.

I. RISK OF TRANSMISSION

1. The risks of transmitting a document by fax to the Clerk of Court shall be borne entirely by the sending party. Anyone using facsimile filing is urged to verify receipt of such filing by the Clerk of Court through whatever technological means are available.
2. The Clerk of Court may, but need not, acknowledge receipt of a facsimile transmission.

J. BLURRED OR SEMI-CLEAR FILINGS

1. In the event a fax filed document or page thereof is received in a blurred or semi-clear state, the Clerk shall notify counsel immediately upon receipt thereof. If counsel is able to clarify the document, either by retransmitting or filing an original on the same date, such clarification shall be accepted without further action.
2. If counsel cannot clarify the document as set out in paragraph (J) (1), it shall be counsel's sole responsibility to contact the Judge or a Magistrate of this Court to resolve the issue.

K. FILING FEE

1. Any document filed by fax that requires a filing fee may be rejected by the Clerk of Court unless the filer has established a mechanism for payment of filing fees with the Clerk of Court prior to the transmission.

2. No additional fee shall be assessed for facsimile filings.

L. LENGTH OF DOCUMENT

Facsimile filings shall not exceed twenty pages in length. Service copies shall not be transmitted by facsimile.

M. EFFECTIVE DATE

These local rules shall be effective April 1, 2005, and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the Court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

IN THE COURT OF COMMON PLEAS
_____ COUNTY, OHIO

JOHN SMITH, Plaintiff,

V.

Case No.: 1234567

BILL JONES, Defendant.

Judge _____ *(in the alternative a notation here that the case is not yet assigned)*

PLAINTIFF SMITH'S NOTICE OFFILING EXHIBIT "G"
TO
PLAINTIFF SMITH'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS

Plaintiff Smith, through counsel, hereby files Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss. The referenced pleading was filed by facsimile transmission with the Court on [date]. Exhibit "G" could not be accurately transmitted by fax and is therefore being timely filed as a separate document with the Court pursuant to Local Rule XX.X.

Respectfully Submitted,

Attorney Name (Sup. Ct. Reg. No.)
Office/Firm
Address
Telephone
Facsimile
E-mail

Counsel for Plaintiff John Smith

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Filing Exhibit "G" was sent by ordinary U.S. mail on [date] to counsel for defendant Bill Jones, [name and address of recipient].

Attorney Name
Counsel for Plaintiff John Smith

FACSIMILE FILING COVER PAGE

RECIPIENT INFORMATION:

NAME OF COURT: _____

FAX NUMBER: _____

SENDING PARTY INFORMATION:

NAME: _____

SUPREME COURT REGISTRATION NO. (if applicable): _____

OFFICE/FIRM: _____

ADDRESS: _____

TELEPHONE NO.: _____

FAX NUMBER: _____

E-MAIL ADDRESS (if available): _____

CASE INFORMATION:

TITLE OF THE CASE: _____

CASE NUMBER*: _____

TITLE OF THE DOCUMENT: _____

JUDGE*: _____

FILING INFORMATION:

DATE OF FAX TRANSMISSION: _____

NUMBER OF PAGES (including this page): _____

STATEMENT EXPLAINING HOW COSTS ARE BEING SUBMITTED, IF APPLICABLE:

* If a judge or case number has not been assigned, please state that fact in the space provided

X. PATERNITY DETERMINATIONS

In order to prevent dire consequences resulting from determinations of paternity entered by this Court, findings of paternity will not be made unless the parties have submitted to genetic testing prior to such finding, or have been ordered to submit to such testing and have refused. The Court reserves the right to grant exceptions to this Rule, for good cause, in extreme circumstances.